

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT.

Public Servants – Panchayat Raj & Rural Development Department – Allegation of misconduct against Sri M. Appalanaidu, Section Officer, P.R. Sub-division, Srikakulam, and (3) others - Disciplinary Proceedings initiated - Written Statements of Defences received – Further Action dropped against 3 C.O.'s, viz; S/Sri A. Prabhakara Rao, EE, PR, Sri K. Srinivasa Kumar, DEE, PR, and Sri M. Appalanaidu, Section Officer, Panchayat Raj Sub division, Srikakulam - W.S.D. not submitted by Sri M. Ramesh Kumar, A.E., formerly at P.R. Divn., and now working at RWS&S Sub-Divn., Srikakulam - Appointment of S.E., P.R., Srikakulam as Enquiry Officer and E.E., P.R, Srikakulam as Presenting Officer – Orders –Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT(VIG.II) DEPARTMENT

G.O.Rt.No. 1186

Dated: 28-7-2011.

Read the following:

- 1) From the D.G., A.C.B., Hyderabad, Rc.Nos.179/DE-S-VVZ/2000, Dt:7.5.2008 and 20.10.2008.
- 2) Govt. Memo Nos.12122/Vig.II/A1/2008-3, 4, 5 & 6, PR&RD(Vig.II) Department, Dated:02-01-2009.
- 3) From the ENC (PR), Hyd., Lr.Nos.Vig.I/285/2009, Dated:4.6.2009 and 21.8.2010.
- 4) G.O.Rt.No.97, PR&RD(VIG.II)Department, Dated:24.1.2011.
- 5) From the ENC (RWS&S), Hyd., Lr.No.Vig.I(1)/200/2009, Dt:27.5.2009.
- 6) From the ENC (RWS&S), Hyd., Lr.No.Vig.I(1)/200/2009, Dt:14.10.09.

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ORDER:

It has been brought to the notice of the Government in the reference 1<sup>st</sup> read above that certain irregularities are being committed in utilization of Govt. and Private Road Rollers, in formation and widening of roads by R&B, Panchayat Raj & Municipalities; that the Govt. Road Rollers were not properly utilized by the concerned Officials, encouraging the Contractors to utilize the private Road Rollers and thereby claiming additional charges and ultimately causing loss to the Govt. Funds.

2. In the reference 2<sup>nd</sup> read above, disciplinary action was initiated by framing Articles of Charges and calling their Written Statement of Defence against Sri M. Appalanaidu, Section Officer, Panchayat Raj Sub division, Srikakulam, Sri K. Srinivasa Kumar, DEE, and Sri A. Prabhakara Rao, EE, PR.

3. Sri A. Prabhakara Rao, EE, PR, Sri K. Srinivasa Kumar, DEE, PR, and Sri M. Appalanaidu, Section Officer, PR Sub division, Srikakulam, have submitted their Written Statements of Defences. In the reference 3<sup>rd</sup> read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad has furnished his specific remarks on the Written Statements Of Defences submitted by Sri A. Prabhakara Rao, EE, PR, Sri K. Srinivasa Kumar, DEE, PR. With regard to the Written Statement Of Defence of Sri M. Appalanaidu, Section Officer, Panchayat Raj Sub division, Srikakulam, the Engineer-in-Chief, Panchayat Raj,

Hyderabad has concurred with the remarks of the E.E., PIU Division, Srikakulam Dt:15.2.2010.

4. Government, after careful examination of the matter, have accepted the specific remarks submitted by the Engineer-in-Chief, Panchayat Raj, Hyderabad in the reference 3<sup>rd</sup> read above, and further action was dropped against S/Sri A. Prabhakara Rao, EE, PR, Sri K. Srinivasa Kumar, DEE, PR, and Sri M. Appalanaidu, Section Officer, Panchayat Raj Sub division, Srikakulam vide 4<sup>th</sup> read above.

5. However, the Charged Officer No.4 involved in this case, viz; Sri M. Ramesh Kumar, AE, RWS&S, Srikakulam (former Assistant Engineer (Mech.), PR, Srikakulam), has not submitted his Written Statement of Defence even after a lapse of thirty five months from the date of issuance of the Charge Memo Dated: 2.1.2009.

6. The Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad, while forwarding the Ex. parte proposals in respect of Sri M. Ramesh Kumar, AE, RWS&S, Srikakulam (former Assistant Engineer (Mech.), PR, Srikakulam) in the reference 5<sup>th</sup> read above, has stated that the said Charges framed in the reference read above were communicated to the individual vide their Office Endt. Dt:27.1.2009, through the S.E., RWS&S, Srikakulam with a request to serve the charges on the individual and furnish the duplicate copy of the dated acknowledgement in having received the charges; that the duplicate copy of the dated acknowledgement has been transmitted by the S.E., Srikakulam to the individual vide their Office Endt. Dated:16.2.2009 and that the copy of the Govt. Charge Memo was acknowledged by him on 17.2.2009.

7. The Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad, in the reference 6<sup>th</sup> read above, has informed that the Charged Officer, viz; Sri M. Ramesh Kumar, Assistant Engineer, RWS&S, Srikakulam has acknowledged the Charges framed vide Govt. Memo No. 12122/Vig.II/A1/ 2008-4, PR & RD (VIG.II) Department, Dt:2.1.2009, on 17.2.2009; that thus, he ought to have submitted his Written Statement Of Defence by 3.3.2009; i.e., within a period of fifteen (15) days from the date of receipt of the Charge Memo; that, however, though more than seven months have lapsed, no Written Statement of Defence has been received from him; and in view of the above, the ENC, RWS&S, Hyderabad has, therefore, requested the Govt. to take further action, based on the material available ex-parte.

8. After examining the Ex-parte proposals submitted by the Engineer-in-Chief, Rural Water Supply & Sanitation in the references 5<sup>th</sup> and 6<sup>th</sup> read above, the Government hereby appoint the Superintending Engineer, Panchayat Raj, Srikakulam as Enquiry Officer, under Rule 20(2) of A.P.C.S. (C,C&A) Rules, 1991, to conduct Departmental Enquiry against Sri M. Ramesh Kumar, A.E., formerly at P.R. Divn., and now working at RWS&S Sub-Division, Srikakulam, for non-submission of his WSD even after a long period of thirty (30) months from the date of issuance of the Charge Memo Dated:2.1.2009, based on the presumption that he has no explanation to offer in this regard.

9. The Government also hereby appoint the Executive Engineer, Panchayat Raj, Srikakulam as Presenting Officer, to present the case before the Enquiry Officer, appointed in Para 8 above, on behalf of the Government, under Rule 20(5) (C) of APCS (CC&A) Rules, 1991.

10. The Presenting Officer shall acquaint himself with the facts of the case and present the case, before the Enquiry Officer, effectively. He is also requested to obtain and produce all necessary documents required by the Enquiry Officer, during the course of enquiry.

11. The Enquiry Officer is requested to conduct enquiry strictly in terms of Rule 20 of APCS (CC&A) Rules, 1991 and submit his Report, as required under sub-rule 18 (ii) of the above said Rule. Copies of Charge Memos issued to the four Charged Officers in the reference 2<sup>nd</sup> read above, the specific remarks of the Engineer-in-Chief, Panchayat Raj, Hyderabad in the reference 3<sup>rd</sup> read above; and the Ex-parte proposals submitted by the Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad in the references 5<sup>th</sup> and 6<sup>th</sup> read above in respect of Sri M. Ramesh Kumar, A.E., formerly at PR Division, and now working at RWS&S Sub-Division, Srikakulam, are herewith furnished to the Enquiry Officer, as required under Rule 20 (7) of APCS (CC&A) Rules, 1991.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. RAJIV SHARMA,  
PRINCIPAL SECRETARY TO GOVERNMENT(PR).

To

The Superintending Engineer, Panchayat Raj, Srikakulam(W.E's).

The Executive Engineer, Panchayat Raj, Srikakulam(W.E's).

The individual concerned **through the**  
Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad.

Copy to:

The Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad (W.E's.) (with a request to serve the copy of this Order to Sri M. Ramesh Kumar, Assistant Engineer, formerly at PR Division, and now working at RWS&S Sub-Division, Srikakulam).

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Secretary to Vigilance Commissioner,

A.P.Vigilance Commission(w.r.t. Lr. No. 5634/VC.G1/2009, Dt:1.11.2010).

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER